

1 Leon Dayan, SBN 153162
2 Abigail V. Carter*
3 Ramya Ravindran*
4 Lane M. Shadgett*
5 J. Alexander Rowell*
BREDHOFF & KAISER P.L.L.C.
6 805 Fifteenth Street NW, Suite 1000
7 Washington, D.C. 20005
8 Tel. (202) 842-2600
9 Fax (202) 842-1888
10 ldayan@bredhoff.com
11 acarter@bredhoff.com
12 rravindran@bredhoff.com
13 lshadgett@bredhoff.com
14 arowell@bredhoff.com
15 **Pro hac vice*

16 Daniel Feinberg, SBN 135983
17 Catha Worthman, SBN 230399
18 Anne Weis, SBN 336480
19 **FEINBERG, JACKSON, WORTHMAN**
20 & WASOW, LLP
21 2030 Addison Street, Suite 500
22 Berkeley, CA 94704
23 Tel. (510) 269-7998
24 Fax (510) 269-7994
25 dan@feinbergjackson.com
26 catha@feinbergjackson.com
27 anne@feinbergjackson.com

28 *Attorneys for Plaintiffs* (Additional Counsel not listed)

19 UNITED STATES DISTRICT COURT

20 NORTHERN DISTRICT OF CALIFORNIA

21 SAN FRANCISCO DIVISION

22 AMERICAN FEDERATION OF
23 GOVERNMENT EMPLOYEES, AFL-CIO, *et al.*,

Case No.: 3:25-cv-03070-JD

24 Plaintiffs,

SUPPLEMENTAL
DECLARATION OF
MICAH NIEMEIER-WALSH

25 v.

26 DONALD J. TRUMP, in his official capacity as
27 President of the United States, *et al.*,

28 Defendants.

1 **SUPPLEMENTAL DECLARATION OF MICAH NIEMEIER-WALSH**

2

3 I, Micah Niemeier-Walsh, declare as follows:

4 1. I am over the age of 18 and have personal knowledge of the facts in this
5 declaration.

6 2. I am an Industrial Hygienist at the National Institute for Occupational Safety &
7 Health (“NIOSH”), in the Department of Health and Human Services. I am also the Vice
8 President of the American Federation of Government Employees Local 3840 (“Local 3840” or
9 the “Union”).

10 3. Local 3840 represents a bargaining unit of 215 civil servants who work for
11 NIOSH.

12 4. On April 1, 2025, the agency announced a wide-scale reductions-in-force (“RIF”)
13 that would reduce the overall number of employees at NIOSH by 93%.

14 5. On May 2, 2025, HHS provided the bargaining unit employees notice that almost
15 all employees were placed on administrative leave and that our official termination date would
16 be July 2, 2025. Approximately 97% of the bargaining unit represented by AFGE Local 3840 has
17 received a RIF notice.

18 6. NIOSH’s RIF has been done without regard for the collective bargaining
19 agreement (“CBA”) between Local 3840 and the Centers for Disease, Control and Prevention,
20 National Institute for Occupational Safety and Health. For example, the CBA provides that the
21 agency must provide a reason for the proposed RIF and that the Union must be given an
22 opportunity to negotiate over the impact and implementation of a RIF, as well as that the agency
23 must create a retention list in the event employees are returned to work in the future. None of the
24 rights provided by the CBA were afforded to employees by NIOSH. The Union demanded
25 bargaining over the impact and implementation of the RIF and submitted an information request,
26 both of which the agency ignored. The Union also filed a grievance outlining the ways in which
27 the RIF was done in violation of the CBA, but the agency has failed to respond to the grievance.

1 I declare under penalty of perjury that the foregoing is true and correct.
2
3
4

5 Executed: May 7, 2025
6

7 
8 Micah Niemeier-Walsh
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28